

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

CHRISTINE SARACENI,

**NOTICE OF MOTION  
FOR ORDER  
PROHIBITING FURTHER  
EVIDENCE DESTRUCTION  
BY DEFENDANT  
Case No.: 19-CV-1152**

M&T BANK CORPORATION,

Defendant.

---

<b>MOVING PARTY:</b>	Plaintiff CHRISTINE SARACENI ("Plaintiff").
<b>DIRECTED TO:</b>	Defendant M&T Bank Corporation ("Defendant").
<b>DATE, TIME &amp; PLACE OF HEARING:</b>	On a date and time and to be set by the Court, before the Hon. Jeremiah J. McCarthy.
<b>SUPPORTING PAPERS:</b>	Declaration of Michael A. Brady, Esq., dated January 13, 2021, with attached Exhibits.
<b>GROUND FOR RELIEF:</b>	This Court's inherent authority.
<b>RELIEF REQUESTED:</b>	An Order of this Court prohibiting Defendant M&T Bank Corporation,

its employees and agents, from engaging in any further destruction of documents, electronic files, or other evidence which may be potentially relevant to this lawsuit and from counseling, requesting or instructing any potential witness to destroy or alter potentially relevant evidence, as well as any other relief as this Court deems appropriate.

**ORAL ARGUMENT:**

Oral argument is requested.

**DATED:** January 13, 2021  
Buffalo, NY

/s/ Michael A. Brady

Michael A. Brady, Esq.  
Daniel J. Brady, Esq.  
HAGERTY & BRADY  
69 Delaware Ave. Suite 1010  
Buffalo N.Y. 14202  
(716) 856-9443 office  
(716) 856-0511 fax  
dbrady@hagerty-brady.com

Attorneys for Plaintiff Christine  
Saraceni

**TO:** Jodyann Galvin, Esq.  
Pauline Muto, Esq.  
Hodgson Russ LLP  
Attys. for Defendant  
M&T Bank Corporation  
Buffalo, NY 14202-4040